Russell Brown
CHAPTER 13 TRUSTEE
Suite 800
3838 North Central Avenue
Phoenix, Arizona 85012-1965
602.277.8996
Fax 602.253.8346

IN THE UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF ARIZONA

| | |
|---|---|
| In re<br><br>TRACY JO CLARK<br><br>Debtor. | In Proceedings Under Chapter 13<br><br>Case No. 2:09-bk-25009-EWH<br><br>**TRUSTEE'S MOTION TO ALLOW PAYMENT OF UNCLAIMED FUNDS OF DEBTOR TO COURT** |

Russell Brown, Chapter 13 Trustee, pursuant to 11 U.S.C. §§ 347(a) and 1326(a)(2), and Rule 3011, F.R.B.P., moves the Court to allow him to pay unclaimed funds of the Debtor to the Court. The Trustee issued a refund check to the Debtor, but the check has not been presented for payment or the post office returned the check as undeliverable. More than ninety days has passed from the date of issuance and the Trustee has put a stop payment on the check or voided it..

Following is the Debtor's information used by the Trustee:

| Address With Court: | Address With Trustee: | Amount: |
|---|---|---|
| Tracy Jo Clark<br>5660 S. Four Peaks Place<br>Chandler, AZ 85249 | Tracy Jo Clark<br>5660 South Four Peaks Place<br>Chandler, AZ 85249 | $1,307.69 |

Also, the Trustee has done the following in an unsuccessful attempt to locate the Debtor:

The Trustee received no change of address for the Debtor or other new contact information.

According to the Court docket, the Debtor has filed no address change or, if so, the Trustee unsuccessfully attempted service to the new address.

The Trustee office called the Debtor's telephone number in his records and used any other contact information, and was unsuccessful at contacting the Debtor. Also, the Trustee contacted any attorney for the Debtor but was unsuccessful at contacting the Debtor with any information provided.

Searching the database of the Arizona Department of Motor Vehicles showed no new address or the Trustee unsuccessfully used the address.

A Google search showed no new contact information.

No new contact information was found at www.whitepages.com.

A search on WestLaw showed no new information or the Trustee was unsuccessful when using such information.

Therefore, the Trustee moves the Court for an Order allowing him to pay the Debtor's unclaimed funds to the Court.

Digitally signed by Russell Brown
DN: cn=Russell Brown, o=Chapter 13 Trustee, ou, email=mail@ch13bk.com, c=US
Date: 2011.02.01 09:33:36 -07'00'

Russell A. Brown
Chapter 13 Trustee